

**Joseph & Norinsberg LLC****Fighting for Employee Justice****Downtown Manhattan Office**

One World Trade Center, 85th Floor  
New York, NY 10007

**Midtown Manhattan Office**

110 East 59th Street, Suite 2300  
New York, New York 10022

**Newark Office**

One Gateway Center, Suite 2600  
Newark, New Jersey 07102

**Philadelphia Office**

1650 Market Street, Suite 3600  
Philadelphia, Pennsylvania 19103

Arjeta Albani, Esq.  
arjeta@employeejustice.com

**Boston Office**

225 Franklin Street, 26th Floor  
Boston, Massachusetts 02110

**Orlando Office**

300 N. New York Ave, Suite 832  
Winter Park, Florida 32790

March 7, 2025

**VIA ECF**

Hon. Ona T. Wang  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

*Re: Igartua v. Stoops NYC IP, LLC*  
1:24-cv-6381-DEH-OTW

Dear Judge Wang,

We represent Juan Igartua (“Plaintiff”) in the above referenced ADA matter against Defendant, Stoops NYC IP LLC (“Defendant”) (collectively the “Parties”). Pursuant the Court’s Order dated February 21, 2025, Plaintiff was instructed to serve the Court’s Order and the Plaintiff’s motion for default judgment via overnight carrier. Due to an internal miscommunication the service was not effectuated as directed.

The Defendant’s responsive papers were to be filed by March 7, 2025, and a telephone conference was scheduled for March 11, 2025.

Based on the foregoing, Plaintiff respectfully requests that the Court adjourn both Defendant’s time to submit responsive papers and the telephone conference for 30 days, making Defendant’s responsive papers due April 7, 2025 and the telephone conference April 11, 2025, or to a date and time convenient for the Court.

We thank the Court for its time and attention.

Respectfully submitted,

Arjeta Albani, Esq.

On February 19, 2025, Plaintiff filed a motion for a default judgment under Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b) against Defendant Stoops NYC IP LLC. *See* ECF No. 17. On February 21, 2025, the Court issued an order setting a deadline of March 7, 2025, for Defendant to file any opposition to the motion for default judgment, and ordered Defendant to appear at a conference on March 11, 2025. *See* ECF No. 18. On March 7, 2025, the Court received the above letter from Plaintiff informing the Court that Plaintiff did not serve Defendant as directed and requesting an adjournment of the response deadline and conference.

It is hereby ORDERED that the deadlines in the Court's February 21, 2025 Order (ECF No. 18) are adjourned. Defendant shall file any opposition to the motion for default judgment by **April 11, 2025**.

It is further ORDERED that Defendant appear and show cause before this Court on **April 15, 2025, at 11:00 A.M. EST**, why an order should not be issued granting a default judgment against Defendant. Unless and until the Court orders otherwise, the conference will be held remotely by telephone in accordance with Paragraph 3.B of the Court's Individual Rules and Practices in Civil Cases. The parties should join the conference by calling the Court's dedicated conference line at (646) 453-4442 and using access code 490 612 72, followed by the pound (#) sign.

It is further ORDERED that Plaintiff serve Defendant via overnight courier with (1) a copy of the motion for default judgment and all supporting papers; (2) a copy of the Court's February 21, 2025 Order (ECF No. 18), and (3) a copy of this Order by **within three business day of the filing of this Order**. In each case, within two business days of service, Plaintiff must file proof of such service on the docket.

**Plaintiff is advised that failure to serve Defendant as directed or to file proof of service on the docket may result in a dismissal for failure to prosecute.**

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Dale E. Ho', with a stylized flourish at the end.

Dale E. Ho  
United States District Judge  
Dated: March 10, 2025  
New York, New York